

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DANIEL A. AUGUSTO,

Defendant

) Criminal No. 22-CR-300____-MGM
)

) Violations:
)

) Count One: Unlawful Possession Of
) Machineguns
) (18 U.S.C. §§ 922(o) and 2)
)

) Counts Two Through Seven: Unlawful
) Possession Of Unregistered Firearm; Aiding
) And Abetting
) (26 U.S.C. § 5861(d) and 18 U.S.C. § 2)
)

) Count Eight: False Statements
) (18 U.S.C. § 1001(a)(2))
)

) Forfeiture Allegation:
) (18 U.S.C. § 924(d)(1); 26 U.S.C. § 5872 and
) 28 U.S.C. § 2461(c))
)

INDICTMENT

COUNT ONE

Unlawful Possession Of Machineguns; Aiding And Abetting
(18 U.S.C. §§ 922(o) and 2)

The Grand Jury charges:

On or about February 23, 2022, in Hampden County, in the District of Massachusetts, the
defendant,

DANIEL A. AUGUSTO,

did knowingly possess the following machineguns as defined by Title 26, United States Code,
Section 5845(b):

- a. One PTR Industries, Inc., model PTR 9, 9x19mm caliber firearm bearing serial number 9MC010480 with one magazine and an altered HK MP5-type machinegun trigger housing installed;
- b. One Imperial Arms Co., model EFFEN 90, assembled with a machinegun bolt carrier, a machinegun trigger housing assembly, and a machinegun “frame and trigger group” manufactured by Fabrique Nationale, in Herstal Belgium into a 5.7x28mm caliber firearm bearing serial number HXX37 with one magazine;
- c. Thirty-eight “switch-type” Glock machinegun conversion devices bearing a counterfeit Glock logo;
- d. Three Rare Breed FRT-15 forced reset triggers designed to allow drop-in installation into AR15-type firearms, with no serial number; and
- e. One Tommy Triggers FRT-15-3MD forced reset trigger designed to allow drop-in installation into M16-type firearms, with no serial number.

All in violation of Title 18, United States Code, Sections 922(o) and 2.

COUNTS TWO THROUGH SEVEN

Unlawful Possession Of Unregistered Firearm; Aiding And Abetting
(26 U.S.C. § 5861(d) and 18 U.S.C. § 2)

The Grand Jury further charges:

On or about February 23, 2022, in Hampden County, in the District of Massachusetts, the
defendant,

DANIEL A. AUGUSTO,

did knowingly possess the following firearms, which had not been registered to the defendant in
the National Firearms Registration and Transfer Record as required by Title 26, United States
Code, Section 5841:

Count	Firearm
TWO	Short-barreled rifle – to wit, a PTR Industries, Inc., model PTR 9, 9x19mm caliber firearm bearing serial number 9MK001951 with a collapsible shoulder stock, thread protector, electronic sight, and forward grip, and with one magazine
THREE	Short-barreled rifle – to wit, a Sig Sauer, model MPX, 9x19mm caliber firearm bearing serial number 62B058947 with an electronic sight, a forward grip, and a Maxim Defense collapsible shoulder stock, and with one magazine
FOUR	Any other weapon – to wit, a S.W.D. Inc., Cobray model M-11 9mm firearm bearing serial number 87-0009677 with a secondary forward vertical grip attached to a forward accessory rail, a stock mounting adapter and an internally threaded muzzle device

Count	Firearm
FIVE	Any other weapon - to wit, an Intratec, model Tec-9, 9x19mm caliber firearm bearing serial number 54601, with a secondary forward grip and a synthetic sling
SIX	Firearms silencer – to wit, a black silencer with no markings
SEVEN	Firearms silencer – to wit, a black silencer with no markings

All in violation of Title 26, United States Code, Section 5861(d) and Title 18, United States Code, Section 2.

COUNT EIGHT
False Statements
(18 U.S.C. § 1001(a)(2))

The Grand Jury further charges:

On or about February 23, 2022, in Hampden County, in the District of Massachusetts, the defendant,

DANIEL A. AUGUSTO,

knowingly and willfully made a materially false, fictitious and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, that is, during an interview with Special Agents of the Federal Bureau of Investigation, DANIEL A. AUGUSTO stated that: (a) all of the firearms in his residence belonged to his son and his girlfriend; and (b) he never asked his son or his girlfriend to purchase firearms. In truth and in fact, as the defendant well knew, these statements were false in that: (a) some of the firearms in his residence belonged to him; and (b) he had asked his son and his girlfriend to purchase firearms for him.

All in violation of Title 18, United States Code, Section 1001(a)(2).

FIREARM FORFEITURE ALLEGATION

(18 U.S.C. § 924(d)(1), 26 U.S.C. § 5872, and 28 U.S.C. § 2461(c))

1. Upon conviction of the offense in violation of Title 18, United States Code, Sections 922(o) and 2, set forth in Count One, and in violation of Title 26, United States Code, Section 5861, set forth in Counts Two through Seven, the defendant,

DANIEL A. AUGUSTO,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offense, and, pursuant to Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in the offenses.

2. If any of the property described in Paragraph 1, above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), Title 26, United States Code, Section 5861, and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, Title 26, United States Code, Section 5861, and Title 28, United States Code, Section 2461.

A TRUE BILL



FOREPERSON

STEVEN H. BRESLOW
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF MASSACHUSETTS

District of Massachusetts: August 4, 2022 at 4:14pm
Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK